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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Madan Pushpakath

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

PATEL, GAUTAM

ART UNIT

PAPER NUMBER

2627

MAIL DATE

DELIVERY MODE

08/15/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/527,111	Applicant(s) PUSHPAKATH ET AL.	
	Examiner Gautam R. Patel	Art Unit 2627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 July 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 8-114 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 8-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

1. This is in response to amendment filed on 7/19/07.
2. Claims 8-14 remain for examination.

Claim Rejections - 35 U.S.C. § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 8-14 is rejected under 35 U.S.C. § 102(e) as being anticipated by Ariyoshi et al., US. patent 6,918,130 (hereafter Ariyoshi).

As to claim 8, Ariyoshi discloses the invention as claimed [see Figs. 5-7 and 45-47] including a turntable and an additional means, comprising:

a turntable [fig. 5, unit 5] for supporting and rotating said information carrier [fig. 5, unit 9] and

[an] additional means [fig. 45, unit 96] for applying and end load on said outer area of said information carrier for setting a predetermined height difference [col. 20, lines 48-61 and col. 21, lines 28-48] between said inner area and said outer area, said predetermined height difference being greater than a maximum initial height difference occurring in a circular information carrier [col. 20, line 48 to col. 22, line 35].

4. The aforementioned claim 9, recites the following elements, inter alia, disclosed in Ariyoshi: carrier.

said additional means comprises a cover clamped to said turntable thereby capturing said information carrier there-between [fig. 4], said turntable supporting said inner area of said information carrier, and said cover having a circular ring for contacting said outer area of said information carrier, said contact defining a contact point projecting below said inner area thereby

Art Unit: 2627

effecting said predetermined height difference [col. 20, line 48 to col. 22, line 35].

5. The aforementioned claim 10, recites the following elements, inter alia, disclosed in Ariyoshi: carrier.

said additional means comprises a cover for clamping said inner area of said information carrier to said turntable, and a circular ring interdependent with said turntable, said circular ring contacting said outer area of said information carrier, said contact defining a contact point projecting above said inner area thereby effecting said predetermined height difference [col. 20, line 48 to col. 22, line 35].

6. The aforementioned claim 12, recites the following elements, inter alia, disclosed in Ariyoshi: carrier.

an optical pick-up unit [fig. 1, unit 6] movable along a guide shaft, said guide shaft being parallel to the radial direction of the turntable; and

an actuator [inherently present as drive component] fixed on said optical pick-up unit and being centered on an optical axis, said optical axis being perpendicular to the radial direction of said information carrier [col. 15, line 14 to col. 16, line 5].

7. The aforementioned claim 13, recites the following elements, inter alia, disclosed in Ariyoshi: carrier.

an optical pick-up unit movable along a guide shaft [fig 5, guide shoes 6a], said guide shaft being parallel to the radial direction of said information carrier; and

an actuator on said optical pick-up unit and being centered on an optical axis, said optical axis being perpendicular to the radial direction of said information carrier [col. 15, line 14 to col. 16, line 5].

8. The aforementioned claim 14, recites the following elements, inter alia, disclosed in Ariyoshi: carrier.

the turntable comprises a tilted inner surface for supporting said information carrier [col. 20, line 48 to col. 22, line 35].

Claim Rejections - 35 U.S.C. § 103

9. The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 11 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Ariyoshi as applied to claim 8 above in view of Liu et al., US. patent 5,040,164 (hereafter Liu).

Ariyoshi teaches a turntable and additional means attached to the turntable in the form of a clamp which applies pressure on the disc. Ariyoshi does not explicitly teach that this additional means can also consist of a wheel to apply pressure. However Liu teaches a balance wheel, rotating freely around a shaft, which is secured on the top ends of the brackets [col. 2, lines 54-68 and figs. 1, 3 unit 81].

All of the components are known in reference Ariyoshi and Liu. The only difference is the combination of the wheel as a pressing component instead of a clamp.

Thus, it would have been obvious to one of ordinary skill in the art to mount the wheel taught by Liu as shown in system of Ariyoshi, since one would be motivated to prevent slant or inclination of the central part caused by manually rotating the turntable [col. 2, lines 54-60; Liu]

10. Applicant's arguments filed on 7/19/07 have been fully considered but they are not deemed to be persuasive for the following reasons.

In the REMARKS, the Applicant argues as follows:

A) That: "Ariyoshi et al. neither discloses nor suggests "additional means of applying an end load on said outer area of said information carrier for setting a predetermined height difference between said inner area and said outer area, said predetermined height difference

Art Unit: 2627

being greater than a maximum initial height difference occurring in a circular information carrier” [page 6, paragraph 2; REMARKS].

FIRST: It seems the Applicants are making a blanket statement as what is not shown by Ariyoshi.

SECOND: Please more detailed rejection above. Which shows ALL components called so far. For example a turntable is [fig. 5, unit 5] and an additional means is [fig. 45, unit 96]. The height difference greater than initial maximum height difference is also shown by Ariyoshi [see col. 20, lines 48-61 and col. 21, lines 28-48]. The words used by Ariyoshi are “clamper portion projecting further in height than central clamper portion”.

ALLOWABLE SUBJECT MATTER

11. As explained last time in phone conversation claim 3 may have merit towards allowable subject matter if properly claimed.

12. **THIS ACTION IS MADE FINAL.** See M.P.E.P. § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Contact information

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gautam R. Patel whose telephone number is 571-272-7625. The examiner can normally be reached on Monday through Thursday from 7:30 to 6.

The appropriate fax number for the organization (Group 2600) where this application or proceeding is assigned is 571-273-8300.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Dwayne Bost, who can be reached on (571) 272-7023.

Art Unit: 2627

Any inquiry of a general nature or relating to the status of this application should be directed to the Electronic Business Center whose telephone number is 866-217-9197 or the USPTO contact Center telephone number is (800) PTO-9199.

A handwritten signature in black ink, appearing to read 'G. R. Patel', is positioned above the printed name.

Gautam R. Patel
Primary Examiner
Group Art Unit 2627

August 10, 2007